

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q79454

Hideo MIYAKE, et al.

Appln. No.: 10/761,099

Group Art Unit: 1795

Confirmation No.: 2438

Examiner: SCHILLING, Richard L.

Filed: January 21, 2004

For: POSITIVE TYPE PHOTORESISTIVE IMAGE-FORMING MATERIAL FOR USE
WITH AN INFRARED LASER

RESPONSE TO NOTIFICATION OF NON-COMPLIANT APPEAL BRIEF
(37 C.F.R. § 41.37)

MAIL STOP APPEAL BRIEF - PATENTS

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

In response to the Notification of Non-Compliant Appeal Brief dated February 12, 2009, within the shortened statutory period of one month as set forth in the Notice, please substitute the attached Section III, Status of Claims, for the Section III included in the Appeal Brief filed on January 9, 2009. This section has been corrected in accordance with Paragraph 2 of the Notification.

Applicants do not believe that any fees are required for the filing of this document; however, the USPTO is directed and authorized to charge any required fees, except for the Issue

RESPONSE TO NOTICE OF NON-COMPLIANT
APPEAL BRIEF (37 C.F.R. § 41.37)
Application No.: 10/761,099

Attorney Docket No.: Q79454

Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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65565
CUSTOMER NUMBER

Date: March 3, 2009

III. STATUS OF CLAIMS

In this reissue application, Claims 1-81, 85-87, 92-97, and 99-128 are all the claims pending in the application.

Claims 1-48, 76-81, 92-97 and 99 are allowed.

Claims 49-75, 85-87, and 100-128 are rejected.

Claims 82-84, 88-91 and 98 are canceled.

The rejected claims 49-75, 85-87, and 100-128 are being appealed.